

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

<p>DONALD EUGENE PHILLIPS,</p> <p>Plaintiff,</p> <p>vs.</p> <p>STEPHEN A. WYNN, et al.,</p> <p>Defendants.</p>	<p>ORDER & MEMORANDUM DECISION</p> <p>Case No. 2:05CV666 TC</p>
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On August 9, 2005, Donald Phillips filed a pro se complaint against Defendants apparently asserting various violations of his civil rights. Mr. Phillips has also filed a motion for the appointment of counsel in this matter.

The Federal Rules of Civil Procedure provide that:

A pleading which sets forth a claim for relief . . . shall contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends . . . , (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for judgment for the relief the pleader seeks.

Fed. R. Civ. P. 8(a). The court has carefully reviewed Mr. Phillips' complaint in this matter and while Mr. Phillips has presented numerous scenarios upon which his claims may be based, it is impossible to determine those specific acts for which he seeks relief and the legal grounds for that relief. Mr. Phillips' complaint fails to adhere to the standards specified in Rule 8 of the

Federal Rules of Civil Procedure requiring a “short and plain statement of the claim. . . .”

Accordingly, Mr. Phillips’ complaint is DISMISSED without prejudice. Mr. Phillips has thirty days from the issuance of this order in which to submit an amended complaint that complies with the Federal Rules of Civil Procedure. The court also finds that Mr. Phillips is not entitled to appointed counsel in this civil matter and his motion for appointment of counsel is DENIED.

DATED this 9th day of August, 2005.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
United States District Judge